

1 Gustavo T. Villanueva (PROSE)
2 1301 Cougar Creek Drive
3 Patterson, California 95363
4 U.S.A.
5 (408) 655-8990

6 Plaintiff

7
8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN JOSE DIVISION**
11

12
13 Gustavo T. Villanueva,) No. C07 05721 PVT
14 Plaintiff,)
15)
16 v.) DEMAND FOR A
17) JURY TRIAL
18 Condoleezza Rice as Secretary of the)
19 United States Department of State,)
20 Maura Harty, Consuelo Pachon ,)
21 and Kevin Lewis Spriggs)
22 Defendants.)
23

24 The Plaintiff, GUSTAVO T. VILLANUEVA, pursuant to Federal Rules of
25 Civil Procedure Rule 38 respectfully requests this Court to allow a jury to
26 hear this Amended Action for Declaratory Judgment to Establish U.S.
27 citizenship filed in this court on November 13th, 2007.
28

29 **JURISDICTION**
30

- 31 1. This court has jurisdiction over this complaint because it arises under
32 the laws of the United States.
33
34 2. This Court has jurisdiction to conduct proceeding for declaration of
35 United States Nationality pursuant to 8U.S.C.1502(a).
36
37 3. This Court has jurisdiction to create a remedy through a Declaratory
38 Judgment pursuant to 28U.S.C.2201 and Rule 56 of the Federal Rules
39 of Civil Procedure.
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FILED

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RICHARD W. WIEKING
CLERK
U.S. DISTRICT COURT
NO. DIST. OF CA. S.J.

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4. This Court has jurisdiction in determining a speedy trial pursuant to Rule 57 of the Federal Rules of Civil Procedure 28U.S.C.—App.57.
 5. This Court has jurisdiction to grant injunctive relief on behalf of Plaintiff pursuant to Rule 52 and Rule 65 of Federal Rules of Civil Procedures.

VENUE AND INTRADISTRICT ASSIGNMENT

6. Pursuant to 8U.S.C.1502(a), action shall be filed in the District Court where the Plaintiff resides.
7. Venue is appropriate in this court because Plaintiff's passport application was submitted in Santa Clara County; Plaintiff resides in San Jose for the purpose to attend classes at San Jose State University. The Plaintiff requests this Court to held proceedings of this case in this district because it would be beneficial to this court, potential witnesses and the Plaintiff.

RESPECTFULLY SUBMITTED,



Gustavo T. Villanueva
1301 Cougar Creek Drive
Patterson, CA 95363

657 Gridley Street
San Jose, CA 95127

DATED:20NOV2007